

REMARKS

This Response is being submitted in response to the Office Action dated May 9, 2007. In the Office Action, the examiner rejected claims 1, 3 – 14, 21 and 24 – 27 under 35 U.S.C. 102(b) for allegedly being anticipated by U.S. Patent No. 4,880,740 issued to Hoffman et al. (“Hoffman”). Claims 1, 4 – 10, 12, 14 and 20 – 21 were rejected under 35 U.S.C. 102(b) for allegedly being anticipated by U.S. Patent No. 5,569,596 issued to Caccavo, Jr. et al. (“Caccavo”). In addition, Claims 22-23 and 28 were rejected under 35 U.S.C. 103(a) for allegedly being unpatentable over Hoffman or Caccavo in view of Khudenko. Claims 29 and 31 are allowed. In response, Applicant is amending claims 1, 14 and 20. Claims 1, 3 – 14, 20 – 29 and 31 remain pending.

Applicant respectfully submits that Hoffamn and Caccavo singularly or in combination fail to teach or suggest each and every element of the present independent claims, as amended. In particular, claim 1 has been amended to clarify that the previously-recited ‘microorganism’ is “encapsulated.” Corresponding amendments have been made to the other independent claims. Support for this amendment can be found throughout the specification, including in paragraphs [0020] and [0053]. By way of a non-limiting example, “The anaerobic iron-reducing bacteria of the present invention may be delivered in a composition which contains the cationic iron (redox mediator species) wherein the composition is formulated in a manner which encapsulates, encloses or otherwise surrounds the anaerobic iron-reducing microorganisms in a form which reduces, abrogates or prevents the access of environmental oxygen to the microorganisms.” See ¶ [0053].

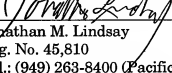
In short, the amended independent claims recite an arrangement in which microorganism are encapsulated, thereby increasing the efficiency. None of the cited references, taken alone or in combination, teach or suggest this arrangement. Accordingly, Applicant submits that all outstanding rejections have been addressed, and that the present application is in immediate condition for allowance. Applicant further submits that all dependent claims are now allowable by virtue of depending on allowable base claims. If there are any questions regarding this Response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 101172.55433US).

Respectfully submitted,

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Dated: August 6, 2007

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